

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-1(b)	
FOX ROTHSCHILD LLP 49 Market St. Morristown, NJ 07960 Joseph J. DiPasquale, Esq. Michael R. Herz, Esq. Joseph A. Caneco, Esq. jdipasquale@foxrothschild.com mherz@foxrothschild.com jcaneco@foxrothschild.com Telephone: (973) 992-4800 Facsimile: (973) 992-9125 <i>Proposed Counsel to the Debtor And Debtor in Possession</i>	
In re: ASSUNCAO BROS., INC., <div style="text-align: center;">Debtor.</div>	Chapter 11 (Subchapter V) Case No. 22-16159-CMG Judge: Hon. Christine M. Gravelle

Recommended Local Form:	<input type="checkbox"/> Followed	<input checked="" type="checkbox"/> Modified
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APPLICATION FOR RETENTION OF PROFESSIONAL
NUNC PRO TUNC TO AUGUST 3, 2022

1. The applicant, the Assuncao Bros., Inc. (the “Debtor”), the debtor and debtor-in-possession in the above-captioned chapter 11, subchapter v case (the “Subchapter V Case”) is the:

- | | | | |
|--|----------------------------------|--|-----------------------------------|
| <input type="checkbox"/> Trustee: | <input type="checkbox"/> Chap. 7 | <input type="checkbox"/> Chap. 11 | <input type="checkbox"/> Chap. 13 |
| <input checked="" type="checkbox"/> Debtor: | <input type="checkbox"/> Chap. 7 | <input checked="" type="checkbox"/> Chap. 11 | <input type="checkbox"/> Chap. 13 |
| <input type="checkbox"/> Official Committee of Unsecured Creditors | | | |

2. The applicant seeks to retain the following professional, KCP Advisory Group LLC (“KCP”) to serve as:

☐ Attorney for: ☐ Trustee ☐ Debtor-in-Possession

☐ Official Committee of Unsecured Creditors

☐ Accountant for: ☐ Trustee ☐ Debtor-in-Possession

☐ Official Committee of _____

■ Other Professional:

☐ Realtor ☐ Appraiser ☐ Special Counsel

☐ Auctioneer ■ Other (specify): Financial Advisors to Debtor

3. The employment of the professional is necessary because:

The Debtor seeks to employ KCP as its financial advisor to assist it in carrying out its duties in this Subchapter V Case effective as of the Petition Date of August 3, 2022 (the “Effective Date”).

4. The professional has been selected because:

As set forth more fully in the Certification of Jacen A. Dinoff, KCP has extensive experience and knowledge in matters of this nature and is well qualified and competent to perform the financial services required by the Debtor during this Subchapter V Case.

5. The professional services to be rendered are as follows:

- a. Assistance in ongoing operations, such as forecasting, planning, controlling, managing cash, and developing one or more business plans;
- b. Reviewing, analyzing and negotiating settlements with secured lender(s), vendors and other creditors, and other work as necessary;
- c. Assistance in filing, compliance, and administration of the Subchapter V Case;

- d. Assistance in confirming and consummation of a plan of reorganization in the Subchapter V Case;
- e. Assistance in connection with evaluating and resolving claims;
- f. Preparing and supporting any legal actions to be undertaken by the Debtor, including but not limited to, the filing of the Subchapter V Case and testifying on behalf of the Debtor; and
- g. Performing such other services as may be required or are otherwise deemed to be in the interests of the Debtor in accordance with the Debtor's powers and duties as set forth in the Bankruptcy Code, Bankruptcy Rules, or other applicable law.

6. The proposed arrangement for compensation is as follows:

Subject to Court approval in accordance with Section 330 of the Bankruptcy Code, compensation will be payable to KCP at its normal and customary rates for professional staff, plus reimbursement of actual, necessary expenses and other charges incurred.

7. To the best of the applicant's knowledge, the professional's connection with the Debtor, creditors, any other party in interest, their respective attorneys, accountants, financial advisors and other professionals (excluding ordinary course professionals), the Judges of the Bankruptcy Court for the District of New Jersey, the United States Trustee, and certain other persons employed in the office of the United States Trustee, is as follows: See Certification of Professional filed contemporaneously herewith.

8. To the best of the applicant's knowledge, the Professional:

- does not hold an adverse interest to the estate.
- does not represent an adverse interest to the estate.

- is a disinterested person under 11 U.S.C. § 101(14).
- does not represent or hold any interest adverse to the debtor or the estate with respect to the matter for which it will be retained under 11 U.S.C. § 327(e).

9. If the professional is an auctioneer, appraiser or realtor, the location and description of the property is as follows: N/A

WHEREFORE, the applicant respectfully requests authorization to employ the Professional to render services in accordance with this application, with compensation to be paid as an administrative expense, in such amounts as the Court may hereafter determine and allow.

By: /s/ Martin Assuncao
Martin Assuncao

Dated: August 26, 2022